

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CESAR FERNANDEZ-RODRIGUEZ; ROBER  
GALVEZ-CHIMBO; SHARON HATCHER;  
JONATHAN MEDINA; and JAMES WOODSON,

individually and on behalf of all others similarly  
situated,

Petitioners,

-against-

WARDEN MARTI LICON-VITALE,

Respondent.

No. 20 Civ. 3315 (ER)

**DECLARATION OF  
ISHITA KALA**

ISHITA KALA declares pursuant to 28 U.S.C. § 1746:

1. I am an attorney at Covington & Burling LLP, counsel to the Petitioners in this action. I am submitting this declaration to put documents before the Court in connection with Petitioners' motion for a Preliminary Injunction in this case. This declaration is based on my personal knowledge and on information and documents in the possession of my firm.

2. Attached hereto as Exhibits are true and correct copies of the following discovery materials in this action, which are referred to in the accompanying papers in support on Petitioners' motion:

Ex.	Date	Document / Description
1.	May 20, 2020	Deposition transcript of Dr. Robert Beaudouin (excerpts)
2.	May 20, 2020	Deposition transcript of Charisma Edge (excerpts)
3.	May 19, 2020	Deposition transcript of Cesar Fernandez-Rodriguez (excerpts)
4.	May 19, 2020	Deposition transcript of Rober Galvez-Chimbo (excerpts)

<b>Ex.</b>	<b>Date</b>	<b>Document / Description</b>
5.	May 19, 2020	Deposition transcript of Sharon Hatcher (excerpts)
6.	May 22, 2020	Deposition transcript of Robert Hazlewood (excerpts)
7.	May 21, 2020	Deposition transcript of Marti Licon-Vitale (excerpts)
8.	May 21, 2020	Deposition transcript of Nicholas Sueich (excerpts)
9.	May 19, 2020	Deposition transcript of James Woodson (excerpts)
10.	May 13, 2020	Photograph taken during MCC inspection visit – dormitory on 11 South This exhibit is being filed under seal.
11.	May 13, 2020	Photograph taken during MCC inspection visit – dormitory on 11 South This exhibit is being filed under seal.
12.	May 13, 2020	Photograph taken during MCC inspection visit – sink on 11 South This exhibit is being filed under seal.
13.	May 13, 2020	Photograph taken during MCC inspection visit – cockroach caught in a trap on 11 South This exhibit is being filed under seal.
14.	May 13, 2020	Photograph taken during MCC inspection visit – empty cell in the Solitary Housing Unit This exhibit is being filed under seal.
15.	May 13, 2020	Photograph taken during MCC inspection visit – empty cell in the Solitary Housing Unit This exhibit is being filed under seal.
16.	May 13, 2020	Photograph taken during MCC inspection visit – telephone on 11 South This exhibit is being filed under seal.
17.	May 13, 2020	Photograph taken during MCC inspection visit – computers in the Women’s Unit This exhibit is being filed under seal.

Ex.	Date	Document / Description
18.	May 13, 2020	Photograph taken during MCC inspection visit – trash receptacle and disinfectant solution on the Women’s Unit This exhibit is being filed under seal.
19.	May 13, 2020	Photograph taken during MCC inspection visit – computer terminal and rag This exhibit is being filed under seal.
20.	Mar. 23, 2020	<i>Interim Guidance on Management of Coronavirus Disease (COVID-19) in Correctional and Detention Facilities</i> , CDC (Mar. 23, 2020), <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html">https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html</a> , Bates MCC PET 0000615
21.	Mar. 26, 2020	Memorandum For Director of Prisons re Prioritization of Home Confinement As Appropriate in Response to COVID-19 Pandemic, Office of the Attorney General, Washington, D.C., Bates MCC PET 0000644
22.	Apr. 3, 2020	Memorandum For Director of Bureau of Prisons re Increasing Use of Home Confinement at Institutions Most Affected by COVID-19, Office of the Attorney General, Washington, D.C., Bates MCC PET 0000641
23.	May 26, 2020	Letter to Honorable Roslynn R. Mauskopf re: Administrative Order No. 2020-14
24.	Feb. 29, 2020	Memorandum from Jeffery D. Allen re: Guidance Update for Coronavirus Disease 2019 (COVID-19), BOP, Bates MCC 1726
25.	May 15, 2020	Respondent’s Responses and Objections to Petitioners’ First Set of Interrogatories
26.	Mar. 25, 2020	Memorandum from M. Licon-Vitale re: Positive Staff Case, Bates MCC 0115
27.	May 12, 2020	Excerpt from compilation of emails sent to the Associate Warden Operations mailbox, Bates MCC 1131
28.	May 13, 2020	Excerpt from compilation of emails sent to the Executive Assistant mailbox, Bates MCC 1149

<b>Ex.</b>	<b>Date</b>	<b>Document / Description</b>
29.	May 13, 2020	Excerpt from compilation of emails sent to the Unit Team 9/11 mailbox, Bates MCC 1173
30.	May 13, 2020	Excerpt from compilation of emails sent to the Unit Team 5/7 mailbox, Bates MCC 1165
31.	May 13, 2020	Excerpt from compilation of emails sent to the Warden mailbox, Bates MCC 1178, 1185-86
32.	May 15, 2020	Quarantine Isolation Flowsheet produced in response to Petitioners' Interrogatories 1 and 2, Bates MCC 0197
33.	Apr. 22, 2020	Memorandum from Andre Matevousia re: Home Confinement, BOP, Bates MCC 1747
34.	Apr. 15, 2020	Memorandum from David Brewer re: Furlough and Home Confinement Additional Guidance, BOP, Bates MCC 1914
35.	[undated]	Email from Charisma Edge re: Return to Unit Team, Bates MCC 2892
36.	May 13, 2020	Compilation of emails sent to and from the Sick Call mailbox, Bates MCC 0201
37.	March 1, 2020 - May 15, 2020	Bureau of Prisons Health Services Activities Report, Bates MCC 1979
38.	Apr. 3, 2020	Memorandum from Andre Matevousia re: Home Confinement, BOP, Bates MCC 1716
39.	May 8, 2020	Memorandum from Andre Matevousia re: Home Confinement, BOP, Bates MCC 1920
40.	May 15, 2020	Table of Inmate Requests for Compassionate Release, MCC 1923
41.	[undated]	Compilation of rosters used for COVID-19 screening for inmates  This exhibit is being filed under seal.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Waterford, Connecticut this 26<sup>th</sup> day of May 2020.

A handwritten signature in black ink, appearing to read "Ishita Kala", written in a cursive style.

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Ishita Kala